THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 17862 of 2004

DATED: 16.09.2005

Between:

S.Raja Goud, s/o Konda Goud,
R/o H.No.4-100/2/1, Devunipally,
Kamareddy Mandal, Nizamabad District
and others.

..... PETITIONERS

AND

The Prohibition and Excise Superintendent,
Nizamabad and others.

…. **RESPONDENTS**

ORDER:

This writ petition is filed seeking a declaration that the action of the respondents in not issuing TFT licences to the petitioners for tapping in devunipalli village, Kamareddy Mandal,Nizamabad District, pursuant to the applications of the petitioners dated 25.08.2004, despite being qualified in the taping test conducted by the Prohibition and Excise Inspector, Kamaraddy on 30.08.2004, and

recommending the second respondent for the said licence is arbitrary and illegal.

None appeared for the petitioners on 15.09.2005. Therefore, the writ petition was directed to be listed today. Even today none appeared for the petitioners.

The respondents filed a detailed counter-affidavit and also an additional counter-affidavit stating that they have received the representations from the petitioners and they have sent them to the concerned Station House Officer, Kamareddy, for conducting test and enquiry regarding the nativity, age and other particulars of the petitioners for taking further action for granting TFT licences to them and that the Station House Officer, submitted a report stating that on enquiry it was revealed that out of five petitioners, four petitioners are having membership in different toddy tapper co-operative societies (for short “the Society”), and they are enjoying the benefits from the Societies. The particulars of the petitioners, who are members of the society, have been furnished in the additional counter-affidavit.

As per the existing rules, one person has to take membership in one place only. The petitioners have misguided the society and trying to get one more TFT licence in Devanpalli village, which is not permissible under law.

Therefore, the writ petition is devoid of merits and the same is accordingly dismissed. No costs.

_____

16.09.2005

sh